

STATE MS.-DESOTO CO.
FILED

Prepared by and return to:
 Jeffrie M. McClain, Attorney
 Tennessee Valley Authority
 1101 Market Street, CST 7A-C
 Chattanooga, Tennessee 37402-2801
 (423) 751-8125

JAN 31 4 28 PM '02

TVA Tract No. CHMDMW-24

BK 410 PG 774
W.E. DAVIS CH. CLK.

GRANT OF TRANSMISSION LINE EASEMENT

FOR AND IN CONSIDERATION of the sum of FIFTY THREE THOUSAND NINE HUNDRED EIGHTY AND NO/100 DOLLARS (\$53,980.00), cash in hand paid, receipt whereof is hereby acknowledged, we, the undersigned,

R. P. FUNDERBURK, III, ELIZABETH FUNDERBURK, DAVID VANDERBURG, PEGGY VANDERBURG, SIDNEY VANDERBURG, ORAFINE VANDERBURG, and LANEY FUNDERBURK, as trustee for Arthur Price Funderburk and Robert Andrew Funderburk

have this day bargained and sold, and by these presents do hereby grant, bargain, sell, transfer, and convey unto the UNITED STATES OF AMERICA a permanent easement and right-of-way for the following purposes, namely: the perpetual right to enter at any time and from time to time and to erect, maintain, repair, rebuild, operate, and patrol lines of transmission line structures with wires and cables for electric power circuits and communication circuits, and all necessary appurtenances, in, on, over, and across said right-of-way, together with the right to clear said right-of-way and keep the same clear of brush, trees, buildings, and fire hazards; to destroy or otherwise dispose of such trees and brush; and to remove, destroy, or otherwise dispose of any trees located beyond the limits of said right-of-way which in falling could come within five (5) feet of any transmission line structure or conductor; all over, upon, across, and under the land described in Exhibit A hereto attached and by this reference hereby incorporated in and made a part of this instrument as fully as if here written.

It is the intent of the undersigned to convey easement rights as to their appurtenant interest, if any, in and to Tract CHMDMW-22, the adjacent railroad right-of-way as shown on the map referenced in Exhibit A.

The previous and last conveyance of this property is a deed recorded in Deed Book 159, page 133, in the office of the Chancery Court Clerk of DeSoto County, Mississippi. Laney Funderburk, trustee for Arthur Price Funderburk and Robert Andrew Funderburk, covenants that he has the power of sale pursuant to that certain trust agreement dated _____.

TO HAVE AND TO HOLD the said easement and right-of-way to the UNITED STATES OF AMERICA and its assigns forever.

We covenant with the said UNITED STATES OF AMERICA that we are lawfully seized and possessed of said real estate, have a good and lawful right to convey the easement rights hereinabove described, that said property is free of all encumbrances, and that we will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

We agree that the payment of the purchase price above stated is accepted by us as full compensation for all damage caused by the exercise of any of the rights above described; except that the UNITED STATES OF AMERICA shall remain liable for any damage to annual growing crops and any direct physical damage caused to the property of the undersigned by its construction forces or by the construction forces of its agents and employees in the erection and maintenance of or in exercising a right of ingress and egress to said lines.

We, for ourselves, our heirs, personal representatives, successors, and assigns, covenant with the UNITED STATES OF AMERICA that no buildings or fire hazards will be erected or maintained within the limits of the right-of-way, and agree that this shall be a real covenant which shall attach to and run with the land affected by the easement rights and shall be binding upon everyone who may hereafter come into ownership of said land, whether by purchase, devise, descent, or succession.

IN WITNESS WHEREOF, we have hereunto subscribed our names this 31st day of January, 2002.

R. P. Funderburk, III
R. P. FUNDERBURK, III

David Vanderburg
DAVID VANDERBURG

Sidney Vanderburg
SIDNEY VANDERBURG

Elizabeth Funderburk
ELIZABETH FUNDERBURK

Peggy Vanderburg
PEGGY VANDERBURG

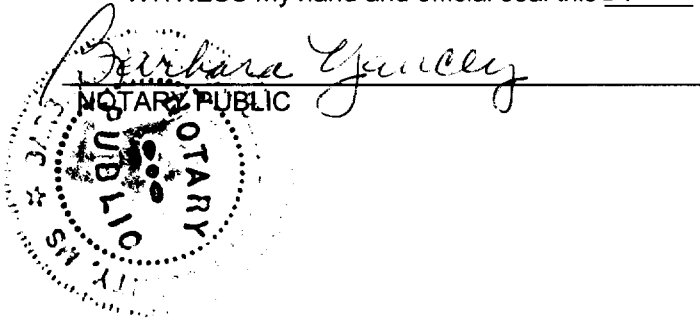
Orafine Vanderburg
ORAFINE VANDERBURG

Laney Funderburk
LANEY FUNDERBURK, as Trustee for Arthur Price Funderburk and Robert Andrew Funderburk

STATE OF MISSISSIPPI)
) SS
COUNTY OF DESOTO)

Before me personally appeared R. P. FUNDERBURK, III and ELIZABETH FUNDERBURK, to me known to be the persons who are described in and who executed the foregoing instrument, and acknowledged that they executed and delivered the same as their free act and deed on the day and year therein mentioned.

WITNESS my hand and official seal this 31st day of Jan., 2002.



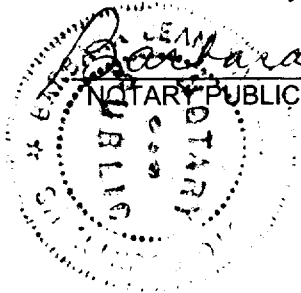
MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES APRIL 10, 2004
BONDED THRU STEGALL NOTARY SERVICE
My Commission Expires: _____

TVA Tract No. CHMDMW-24

STATE OF MISSISSIPPI)
) SS
 COUNTY OF DESOTO)

Before me personally appeared DAVID VANDERBURG and PEGGY VANDERBURG, to me known to be the persons who are described in and who executed the foregoing instrument, and acknowledged that they executed and delivered the same as their free act and deed on the day and year therein mentioned.

WITNESS my hand and official seal this 31st day of Jan, 2002.



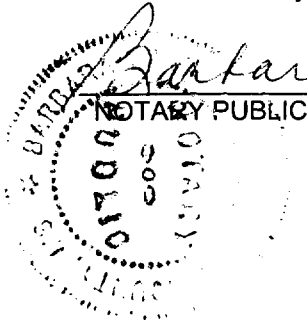
My Commission Expires:

MISSISSIPPI STATEWIDE NOTARY PUBLIC
 MY COMMISSION EXPIRES APRIL 10, 2004
 BONDED THRU STEGALL NOTARY SERVICE

STATE OF MISSISSIPPI)
) SS
 COUNTY OF DESOTO)

Before me personally appeared SIDNEY VANDERBURG and ORAFINE VANDERBURG, to me known to be the persons who are described in and who executed the foregoing instrument, and acknowledged that they executed and delivered the same as their free act and deed on the day and year therein mentioned.

WITNESS my hand and official seal this 31st day of Jan, 2002.



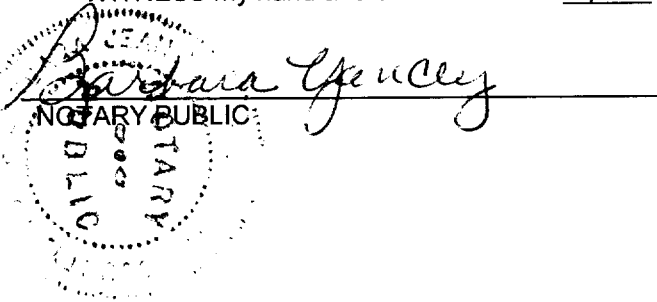
My Commission Expires:

MISSISSIPPI STATEWIDE NOTARY PUBLIC
 MY COMMISSION EXPIRES APRIL 10, 2004
 BONDED THRU STEGALL NOTARY SERVICE

STATE OF Ms.)
COUNTY OF De Soto) SS

Before me personally appeared LANEY FUNDERBURK, as trustee for Arthur Price Funderburk and Robert Andrew Funderburk, to me known to be the person who is described in and who executed the foregoing instrument, and acknowledged that he executed and delivered the same as his free act and deed on the day and year therein mentioned.

WITNESS my hand and official seal this 31st day of Jan, 2002.



My Commission Expires:

MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES APRIL 10, 2004
BONDED THRU STEGALL NOTARY SERVICE

EASEMENT OWNER: United States of America
Tennessee Valley Authority
1101 Market Street, CST 7A
Chattanooga, Tennessee 37402-2801

[Tax Exempt -
Miss. Code § 27-37-301]

PROPERTY OWNERS: R. P. Funderburk, III, et al.
12126 Highway 178
Olive Branch, Mississippi 38654

(See D.B. 159, page 133)

INDEXING INFORMATION: Part of NE 1/4 of the SE 1/4, part of the SE 1/4 of the NE 1/4, and part of the SW 1/4 of the NE 1/4, all in Section 28, T1S, R6W

EXHIBIT A

**CORDOVA-HOLLY SPRINGS TRANSMISSION LINE
TAP TO MILLER SUB.
TAP TO DESOTO ROAD SUB.
TAP TO MINERAL WELLS**

R. P. FUNDERBURK, III, ET AL.

A permanent easement for transmission line purposes on, over, and across a parcel of land located in Section 28, Township 1 South, Range 6 West of Desoto County, State of Mississippi, as shown on a map entitled "Cordova-Holly Springs Trans. Line, Tap to Miller Sub., Tap to Desoto Road Sub., Tap to Mineral Wells," drawing LW-5463, Sheet 10DCB, Revision 0, said parcel being more particularly described as follows:

Commencing at the northwest corner of Section 28, Township 1 South, Range 6 West; thence N. 89° 41' 11" E., 1,392.64 feet with the north line of Section 28 and the south line of Section 21, Township 1 South, Range 6 West to a point in the centerline of the location at survey station 136+22.17; thence leaving said point with the centerline of said location S. 46° 52' 29" E., 4,227.23 feet to a point on the centerline of said location at survey station 93+94.94; thence with the centerline of said location N. 53° 37' 18" E., 12.71 feet to a point on the centerline of said location at survey station 93+82.23, said point being in the northeast property line of the lands of R. P. Funderburk III, et al., and the southwest right-of-way of the lands of the Burlington Northern & Santa Fe Railway Co., said point being the point of beginning.

Thence from the point of beginning with the northeast property line of the lands of R. P. Funderburk III, et al., and the southwest right-of-way of the lands of the Burlington Northern & Santa Fe Railway Co., S. 46° 52' 29" E., 5.08 feet to a point, said point being in the southwest right-of-way of said location; thence leaving said point with said right-of-way S. 53° 37' 18" W., 63.56 feet to a point; thence continuing with said right-of-way N. 46° 52' 29" W., 952.80 feet to a point, said point being in the northwest property line of the lands of R. P. Funderburk, III, et al., and the southeast property line of the lands of Dan A. Brown, et ux.; thence leaving said point with said property line N. 45° 02' 22" E., 50.02 feet to a point in the centerline of said location at survey station 103+50.24; thence continuing with said property line N. 45° 02' 22" E., 12.51 feet to a point, said point being in the northeast property line of the lands of R. P. Funderburk III, et al., and the southwest right-of-way of the lands of the Burlington Northern & Santa Fe Railway Co.; thence leaving said point with said property line and with said right-of-way S. 46° 52' 29" E., 957.20 feet to the point of beginning and containing 1.37 acres, more or less.

The above described parcel of land is lying partly in the northeast quarter of the southeast quarter and partly in the southeast quarter of the northeast quarter and partly in the southwest quarter of the northeast quarter of Section 28, Township 1 South, Range 6 West.

Furthermore, said permanent easement rights include the perpetual. right to install, maintain, and replace guy wires and necessary appurtenances outside the right-of-way for the transmission line structure located at survey station 93+94.94.

rec'd 1/10/02